

1 BILL NO. R-94 - 09-11

2 RESOLUTION NO. R - 58-94

3
4 A RESOLUTION of the Common Council of the City of
5 Fort Wayne, Indiana, designating certain real estate as
6 a Residentially Distressed Area.

7 WHEREAS, the Fort Wayne Common Council has established a policy of
8 designating certain areas as "residentially distressed areas" eligible for property tax
9 abatements on residential improvements; and

10 WHEREAS, persons who improve their property add to the quality of life for all
11 Fort Wayne residents; and

12 WHEREAS, adequate infrastructure exists in many areas to support additional
13 residential development; and

14 WHEREAS, affordable residential development is not occurring in many areas,
15 in part because of the burden of increased property taxes on such development; and

16 WHEREAS, the Common Council finds that certain neighborhoods are
17 residentially distressed areas, in accordance with I.C. 6-1.1-12.1-2, as amended by the
18 Indiana General Assembly in 1993;

19 NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF
20 THE CITY OF FORT WAYNE, INDIANA:

21 SECTION 1. The following area meets the criteria at I.C 6-1.1-12.1-2(c):

- 22
23
24 A. Part of Tamera Place and part of Home Gardens Addition
25 as recorded in the plat thereof in the Office of the recorder
26 of Allen County, Indiana, more particularly described as
follows:

27 Beginning at the Southeast corner of Lot #10 in Tamera
28 Place as recorded in the plat thereof in the Office of the
29 Recorder of Allen County, Indiana thence South 72 degr.
30 23 min. 01 sec. West along the South line of Tamera
31 Place and the North line of Butz subdivision as recorded in
32 the plat thereof in the Office of the Recorder of Allen
County, Indiana, a distance of 568.2 feet of the Southwest
corner of lot #14 in Tamera Place, thence continuing South

1 72 degr. 23 min. 01 sec. West a distance of 77.97 feet;
2 thence South 89 degr. 07 min. 05 sec. West a distance of
3 341.76 feet to a point on the East right of way line of John
4 Street, said point being 100.0 feet North of the North right
5 of way line of Sylvia Avenue, thence North 01 degr. 24
6 min. 30 sec. West, along the East right of way line of
7 John Street, a distance of 230.0 feet, thence North 72 degr.
8 23 min. 01 sec. East a distance of 433.19 feet to a point
9 on the West line of Lot #14 in Tamera Place; thence North
10 01 degr. 31 min. 11 sec. West along the West line of lot
11 #14, a distance of 34.26 feet to the Northwest corner of
12 Lot #15 in Tamera Place; thence North 76 degr. 52 min.
13 East along the North line of Lot #15 and #16 in Tamera
14 Place, a distance of 251.74 feet (251.29 feet, plat) to the
15 Northwest corner of Lot #17 in Tamera Place thence North
16 65 degr. 10 min. 01 sec. East along the North line of Lot
17 #17 extended Easterly a distance of 172.17 feet to a point
18 on the West line of Lot #7 in Tamera Place, thence North
19 24 degr. 49 min. 59 sec. West along the West line of Lot
20 #7, a distance of 40.0 feet to the Northwest corner of Lot
21 #7, thence North 65 degr. 10 min. 01 sec. East along the
22 North line of Lot #7, a distance of 158.6 feet to the
23 Northeast corner of Lot #7; thence South 24 degr. 49 min.
24 59 sec. East along the East line of Lot #7, a distance of
25 40.0 feet; thence South 00 degr. 52 min. 14 sec. East along
26 the East line of Lots #7, #8, #9 and #10 in Tamera Place,
27 a distance of 390.62 feet to the point of beginning,
28 containing 7.48 acres, subject to road rights of way and
29 easements, and
30

(B) Lots #21 thru #30 of Home Gardens Addition, and

(C) Lots #22 thru #36 of Tamera Place Addition.

31 **SECTION 2.** Documentation of the criteria necessary for designation as a
32 residentially distressed area is as follows:

- 33 A. A significant number of dwelling units within the area are not permanently
34 occupied or a significant number of parcels in the area are vacant land:

35 The area is comprised entirely of vacant land.

- 36 B. A significant number of dwelling units within the area are the subject of
37 an order issued under I.C. 36-7-9 or are evidencing significant building
38 deficiencies:

39 There are no dwelling units within the area.

- 40 C. The area has experienced a net loss in the number of dwelling units, or
41 the area is owned by Indiana or the United States:

42 The area included one residential structure which was demolished
in 1987; no structures have been built in this area since that time.

1 D. The area (plus any areas previously designated) does not exceed 10% of
2 the total area within the Fort Wayne Common Council's jurisdiction:

3 The area comprises 22.578 acres, equivalent to .036 square miles.
4 The areas previously designated by Fort Wayne Common Council
5 total 6.378 square miles, leaving up to .372 square miles able to
6 be designated.

7 **SECTION 3.** That properties within the areas described herein be eligible for
8 abatement of all real property taxes attributable to construction which occurs after the
9 adoption of this resolution, as determined by the Allen County and Wayne Township
10 Assessors as prescribed by law, for a period of five years.

11 **SECTION 4.** This resolution shall not be interpreted to affect any other legal or
12 administrative regulations governing improvements to real property, including but not
13 limited to the Allen County Building code, the Historic Preservation Ordinance of the
14 City of Fort Wayne, and the Zoning Ordinance of the City of Fort Wayne.

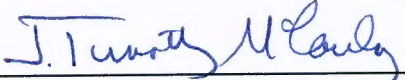
15 **SECTION 5.** That no deduction or abatement will be allowed under the terms
16 of this Resolution unless the dwelling is rehabilitated to meet the standards of the Allen
17 County Building department, and that no deduction or abatement will be allowed if the
18 building is found to be in violation of the City's Safe Housing and Building Standards
19 Ordinance.
20

21 **SECTION 6.** That no deduction or abatement will be allowed under the terms
22 of this Resolution unless the dwelling is made available for sale or rent at a price
23 determined to be affordable to low- or moderate-income families. This determination
24 may be made by the Indiana Housing Finance Authority through its Low-Income Housing
25 Tax Credit program, or by the Division of Community and Economic Development.
26

27 **SECTION 7.** That this Resolution shall be in full force and effect from and after
28 its passage and any and all necessary approval by the Mayor.
29

30 
31 Councilmember

32 APPROVED AS TO FORM AND LEGALITY


J. Timothy McCaulay, City Attorney

Read the first time in full and on motion by Belmick, seconded by _____, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: 4-13-94

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Belmick, seconded by _____, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>7</u>			<u>2</u>
BRADBURY	<u>✓</u>			
EDMONDS	<u>✓</u>			
GiaQUINTA	<u>✓</u>			
HENRY				<u>✓</u>
LONG				<u>✓</u>
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 9-27-94

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)

(SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. 9-58-94

on the 27th day of September, 1994

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

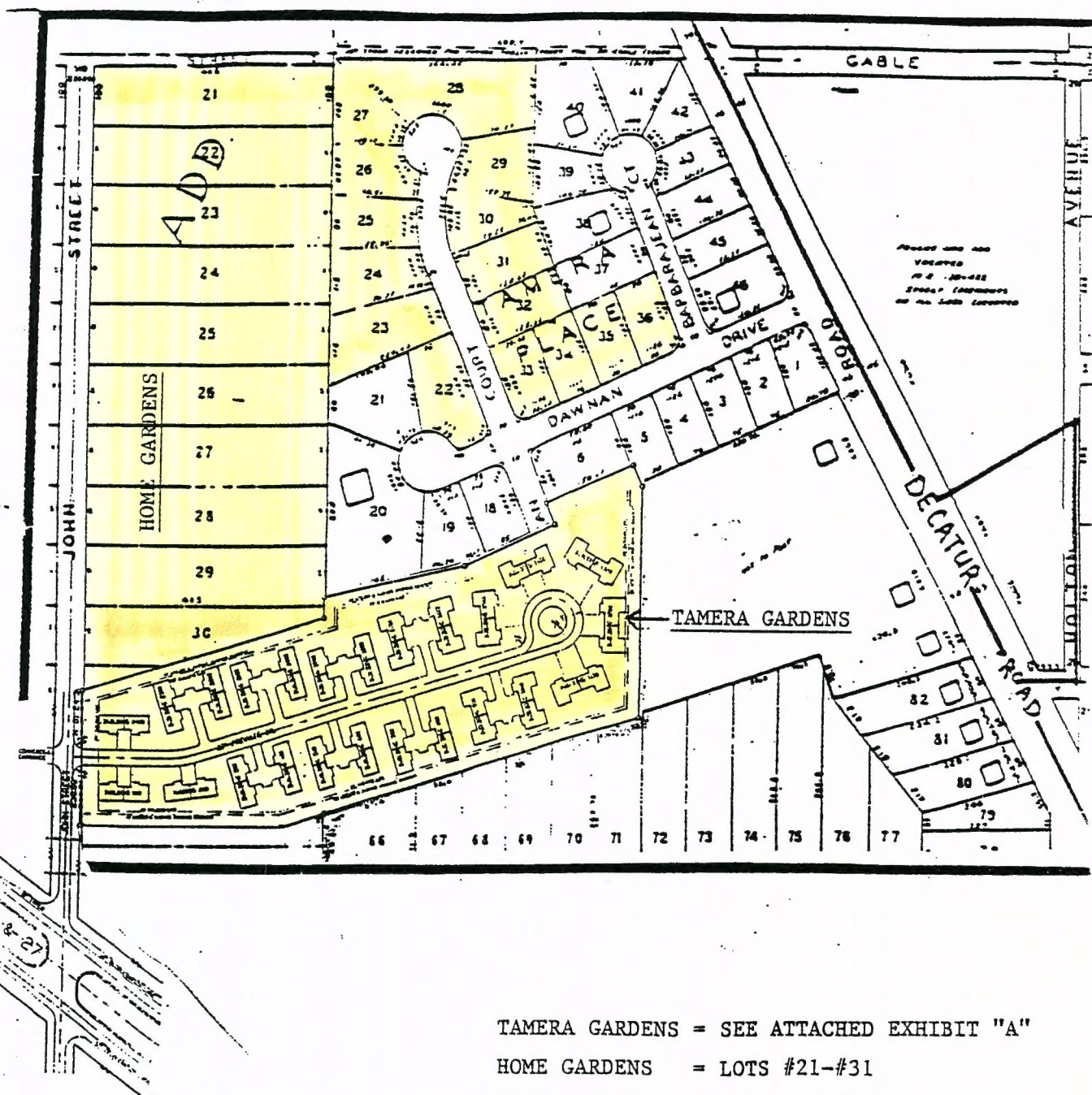
Archie Lunsay
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of September, 1994, at the hour of 11:30 o'clock 9 M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 28th day of September, 1994, at the hour of 4:25 o'clock 9 P. M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR



TAMERA PLACE = LOTS #22-#36



MEMORANDUM

TO: City Council Members

FROM: Karen Goldner, Community Development Projects Administrator

DATE: September 6, 1994

SUBJECT: Residential Property Tax Abatement for Tamera Gardens Project

2-94-09-11

Background

Last year, Council utilized a change in State law allowing cities to designate certain areas as "Residentially Distressed Areas," which allowed for tax abatement of increased assessed value for privately-owned properties within those districts. The Residentially Distressed Areas designated at that time included large sections of the central city and a portion of the southern part of Fort Wayne. Up to ten percent of the total City area may be designated as Residentially Distressed Areas; the City has not yet reached that limit.

Request for Action

A developer has requested that City Council designate certain property in southeast Fort Wayne as a Residentially Distressed Area. This property, just north of U.S. 27 South at John Street near Southtown Mall, is currently vacant. The developer plans to construct 48 units of low-density housing for low-income families. The creation of affordable rental housing for low-income families is a high priority in the City's 1994 Comprehensive Housing Affordability Strategy.

The financing of low-income housing is always difficult, due to the relatively low rents that must be charged. The developer is requesting property tax abatement in order to reduce the operating costs of this project.

Recommendation

In addition to providing needed housing, this project is a significant investment in southeast Fort Wayne. After adoption, the City will still have one-third of a square mile (over 200 acres) which could be designated at a later time for other projects.

Staff recommends approval.

BILL NO. R-94-09-11

REPORT OF THE COMMITTEE ON
FINANCE
CLETUS R. EDMONDS - DONALD J. SCHMIDT - CO-CHAIR
ARCHIE L. LUNSEY
DAVID C. LONG

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS
REFERRED AN (~~ORDINANCE~~) (RESOLUTION) of the Common Council of the
City of Fort Wayne, Indiana, designating certain real estate as a Residentially
Distressed Area

HAVE HAD SAID (~~ORDINANCE~~) (RESOLUTION) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(~~ORDINANCE~~) (RESOLUTION) _____

DO PASS

DO NOT PASS

ABSTAIN

NO REC

O.S. 1
 George Ravine
 Mrs. Mary
 Mark C. Gindert
 Mike J. J. J.

DATED: 9-27-94.

Sandra E. Kennedy
City Clerk